

November 7, 2023

VIA ECF

Honorable Gregory H. Woods
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Kookmin Bank Co., Ltd. et al. v. Union Station Sole Member, LLC*,
No. 1:22-cv-06649-GHW

Dear Judge Woods:

We represent Plaintiffs Daol Rexmark Union Station LLC (“Union Station Sub”) and Kookmin Bank Co. Ltd. (“Kookmin”, collectively with Union Station Sub, “Lender”) in the above-captioned matter. Pursuant to Rule 1(E) of Your Honor’s Individual Rules of Practice in Civil Cases, we write to request an extension of time to complete discovery. This is not the first discovery extension request in this case, but good cause exists to modestly extend the deadlines. Defendant Union Station Sole Member, LLC (“Defendant”) consents to this request.

On September 18, 2023, the Court granted the parties’ Letter Motion for Extension of Time to Complete Discovery. (ECF Doc. No. 109.) That Order extended the deadline for fact discovery to November 10, 2023 for the sole purpose of completing depositions that have already been noticed. All of the originally noticed depositions have now been taken. Following the taking of these depositions, the parties each requested additional documents and communications based on issues that arose at the depositions. The parties held a first meet and confer on November 6.

With the current deadline of November 10, 2023, the parties anticipate needing additional time to meet and confer to resolve the ongoing discovery issues or bring them to the Court’s attention. Accordingly, the parties request a modest extension to fact discovery. Attached as **Exhibit A** is a proposed Revised Civil Case Management Plan and Scheduling Order that reflects the dates proposed below:

- All fact discovery shall be completed by December 10, 2023 to allow the parties to resolve issues that arose at the depositions already taken;
 - o To the extent a discovery dispute letter is necessary, the parties shall submit a joint letter to the Court by November 17, 2023.

The parties anticipate that these discovery disputes can be resolved expeditiously, allowing the deadlines associated with filing summary judgment motions to remain unchanged. If this expectation changes, the parties shall promptly notify the Court and seek an extension of the remaining deadlines upon a showing of good cause.

- Pursuant to the Court's Order on November 3, 2023, the following deadlines can remain the same:
 - o The deadline for submission of a motion for summary judgment, if any, is December 28, 2023;
 - o Oppositions to any motions for summary judgment are due within 30 days after service of the motion;
 - o Replies, if any, are due within 14 days after service of opposition papers; and
 - o The parties may file motions for summary judgment without filing a pre-motion letter.

All other dates from the case management plan entered by the Court on September 13, 2022 (ECF Doc. No. 44) can remain in full force and effect.

The parties appreciate the Court's attention to this request.

Respectfully,

/s/ Amber R. Will

Amber R. Will

cc: All counsel of record, via ECF